

Docket No.
44902-00416

Declaration For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for

INHALER WITH AIRFLOW REGULATION

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on 1/31/02 as United States Application No. or PCT International

Application Number 10/062,174

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional

60/266,757 & 60/266,062

(Application Serial No.)

2/6/01

(Filing Date)

60/266,675

(Application Serial No.)

2/6/01

(Filing Date)

60/267,091

(Application Serial No.)

2/6/01

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor OLAF REINHOLD	
Sole or first inventor's signature <i>Olaf Reinhold</i>	Date <i>6 March 2002</i>
Residence 12729 VIA TERCETO, SAN DIEGO, CA 92130	
Citizenship AUSTRALIA	
Post Office 12729 VIA TERCETO, SAN DIEGO, CA 92130	

Full name of second inventor, if any ROBERT P. LACKEY	
Second inventor's signature <i>Robert P. Lackey</i>	Date <i>6 MARCH 2002</i>
Residence 3338 FOSCA ST., CARLSBAD, CA 92009	
Citizenship AUSTRALIA <i>USA. R. Lackey</i>	<i>6 MARCH 2002</i>
Post Office 3338 FOSCA ST., CARLSBAD, CA 92009	

Full name of third inventor, if any JEFFREY P. TAUB	
Third inventor's signature <i>Jeffrey P. Taub</i>	Date <i>6 - March 2002</i>
Residence 1849 HAMILTON LANE, ESCONDIDO, CA 92029	
Citizenship USA	
Post Office 1849 HAMILTON LANE, ESCONDIDO, CA 92029	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office	

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

Docket No.
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Serial No.
10/062,174

Filing Date
1/31/02

Patent No.

Issue Date

Applicant/ **REINHOLD ET AL**
Patentee:

Invention: **INHALER WITH AIRFLOW REGULATION**

COPY OF PAPERS
ORIGINALLY FILED

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: **PONWELL ENTERPRISES LIMITED**

ADDRESS OF CONCERN: **37 FLOOR, WU CHUNG HOUSE, 213 QUEEN'S RD E., WAN CHAI, HONG KONG**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

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- ☒ the application identified above.
- ☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization exists.
☒ each such person, concern or organization is listed below.

FULL NAME VAPOTRONICS INC.
 ADDRESS 12555 HIGH BLUFF DRIVE, SUITE 330, SAN DIEGO, CA 92130
☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

FULL NAME VAPOTRONICS LIMITED
 ADDRESS 12555 HIGH BLUFF DRIVE, SUITE 330, SAN DIEGO, CA 92130
☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

FULL NAME VAPOTRONICS INTERNATIONAL LIMITED
 ADDRESS 12555 HIGH BLUFF DRIVE, SUITE 330, SAN DIEGO, CA 92130
☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

FULL NAME XKY (BVI) LIMITED
 ADDRESS 12555 HIGH BLUFF DRIVE, SUITE 330, SAN DIEGO, CA 92130
☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: ROBERT M. VOGES
 TITLE OF PERSON SIGNING
 OTHER THAN OWNER: MANAGING DIRECTOR AND CEO
 ADDRESS OF PERSON SIGNING: 308 CORTO STREET 210 VIA ORLANDA
SOLANA BEACH, CA 92075 RANCHO SANTA FE, CA, 92091

SIGNATURE:  DATE: 26 March 2012

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN			Docket No. 44902-00416
Serial No. 10/062,174	Filing Date 1/31/02	Patent No.	Issue Date
Applicant/ REINHOLD ET AL Patentee:			
Invention: INHALER WITH AIR FLOW REGULATION			
COPY OF PAPERS ORIGINALLY FILED			
<p>I hereby declare that I am:</p> <p><input type="checkbox"/> the owner of the small business concern identified below:</p> <p><input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below:</p> <p>NAME OF CONCERN: <u>VAPOTRONICS, INC.</u></p> <p>ADDRESS OF CONCERN: <u>12555 HIGH BLUFF DRIVE, SUITE 330, SAN DIEGO, CA 92130</u></p> <p>I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:</p> <p><input type="checkbox"/> the specification filed herewith with title as listed above.</p> <p><input checked="" type="checkbox"/> the application identified above.</p> <p><input type="checkbox"/> the patent identified above.</p> <p>If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).</p>			

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NAME OF PERSON SIGNING:

ROBERT M. VOGES

TITLE OF PERSON SIGNING

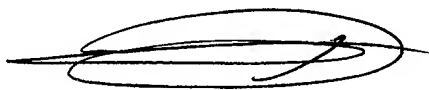
OTHER THAN OWNER:

~~PRESIDENT~~ CHAIRMAN

ADDRESS OF PERSON SIGNING:

308 CORTO STREET 210 VIA OSUNA
SOLANA BEACH, CA 92075 RANCHO SANTA FE, CA, 92091

SIGNATURE:



DATE:

26 MARCH 2012

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
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Applicant/ **REINHOLD ET AL**
Patentee:

Invention: **INHALER WITH AIRFLOW REGULATION**

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NAME OF CONCERN: **VAPOTRONICS INTERNATIONAL LIMITED**

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TITLE OF PERSON SIGNING _____

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NAME OF PERSON SIGNING:

ROBERT M. VOGES

TITLE OF PERSON SIGNING

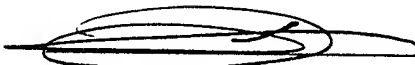
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MANAGING DIRECTOR AND CEO

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MANAGING DIRECTOR

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